

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|-----------------------------|---|--------------------------------|
| MICHAEL BEHAYLO, |) | |
| Plaintiff |) | |
| |) | |
| vs. |) | CIVIL ACTION NO.: 05-30178-MAP |
| |) | |
| |) | |
| THE TOP-FLITE GOLF COMPANY, |) | |
| Defendant |) | |

PLAINTIFF'S MOTION TO CONSOLIDATE

Now comes the Plaintiff and moves pursuant to Fed.R.Civ.P. 12(a) that the following cases:

Paul Duval v. The Top Flite Golf Company, Civil Action No.: 05-30181

Michael Behaylo v. The Top Flite Golf Company, Civil Action No.: 05 30178

Gary Lonczak v. The Top Flite Golf Company, Civil Action No.: 05 30180 and

John Bettencourt v. The Top Flite Golf Company, Civil Action No.: 05 30179

be consolidated for trial for the reasons stated in the attached memorandum.

THE PLAINTIFF, MICHAEL BEHAYLO
BY HIS ATTORNEY

Dated: December 31, 2007

/ S / Maurice M. Cahillane
Maurice M. Cahillane, Esq.
EGAN, FLANAGAN AND COHEN, P.C.
67 Market Street - Post Office Box 9035
Springfield, MA 01102
(413) 737-0260; Fax: (413) 737-0121
BBO# 069660